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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/204,390 12/02/98 EVERLING

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EXAMINER

TN01/0611

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK NY 10036-8403

PWJ, J

ART UNIT

PAPER NUMBER

2164

DATE MAILED:

06/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/204,390

Applicant(s)

EVERLING ET AL.

Examiner

Jeffrey C Pwu

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/19/2001 Attny. interview.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☒ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 20) ☐ Other: _____

DETAILED ACTION***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by *Melchione* et al (U.S. Patent No. 5,930,764).

A method for processing transaction data comprising the steps of:

- receiving transaction data, the transaction data containing account numbers (abstract, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65);
- identifying non-issuer account numbers which represent accounts not issued by an issuer (col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67);
- matching the identified non-issuer account numbers with account numbers representing (col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67);
- account issued by the issuer (col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60);
- identifying a consumer associated with at least one of the identified non-issuer account numbers (col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60);

➤ determining if the identified consumer is a customer of the issuer, the customer having an issuer account number representing an issuer account issued by the issuer (col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60);

➤ linking the non-issuer account number of the customer with the issuer account number of the customer (col.44, lines 30-67);

➤ maintaining a database containing issuer account numbers representing issuer accounts of customers of an issuer, and containing customer non-issuer account numbers representing non-issuer accounts of the customers (abstract, claims 1-3, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65, col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60, col.44, lines 30-67);

➤ adding the matched non-issuer account numbers to the database as customer non-issuer account numbers (abstract, claims 1-3, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65, col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60, col.44, lines 30-67);

➤ updating the historical transaction data in the database by adding received transaction data, which contains matched non-issuer account numbers (abstract, claims 1-3, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65, col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60, col.44, lines 30-67);

➤ performing queries on the database (col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65);

➤ determining the use of the non-issuer account by the customer in response to a result of the query, marketing services of the issuer to the customer in response to the determined use by the customer, eliminating transaction data account number issued by the issuer, and eliminating transaction data that contains data representing duplicate non-issuer account number (abstract, claims 1-3, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65,

col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60, col.44, lines 30-67);
and

➤ receiving new transaction data, the new transaction data representing new credit transactions and comprising records containing at least account numbers of accounts which initiated the new credit transactions (claims 1-3, figs. 1-8, col.1, lines 53-62, col.2, lines 20-37, col.7 lines, 23-59, col.14, lines 47-65, col.20, lines 10-16, col.23, lines 1-17, col.35, lines 29-67, col.38, lines 55-60, col.44, lines 30-67).

Response to Arguments

3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's request for a reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the **finality** of that action is **withdrawn**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C Pwu whose telephone number is 308-7835. The examiner can normally be reached on 8-7.


Jeffrey Pwu

April 26, 2001